



7-16-03

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/835,119	
	Filing Date	04/13/2001	
	First Named Inventor	R. Kaddurah-Daouk	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	55	Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Third Party Submission In A Published Patent Application Self-Addressed Postcard Requesting Acknowledgment Of Receipt
Remarks Deposited With The United States Postal Service On July 15, 2003, With Sufficeint Postage As Express Mail No. EV 291443735 US In An Envelope Addressed To Commissioner For Patents, PO Box 1450, Alexandria VA, 2213-1450		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eugene LeDonne Registration No. 35,930 ReedSmith, LLP
Signature	
Date	07/15/2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 			
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 310.00

Complete if Known

Application Number	09/835,119
Filing Date	04/13/2001
First Named Inventor	R. Kaddurah-Daouk
Examiner Name	
Art Unit	
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
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50-1529

REED SMITH LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent					<input type="text"/>	= 0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Fees Required By 37 CFR 1.17(i)					130

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 310.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Eugene LeDonne, Esq.

Registration No.
(Attorney/Agent)

35,930

Telephone 212-521-5400

Signature

Date

July 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**R. Kaddurah-Daouk and B.
Kristal**

Serial No.: 09/835,119

Filed: April 13, 2001

Art Unit: Unknown

Examiner: Unknown

**METHODS FOR DRUG DISCOVERY,
DISEASE TREATMENT, AND
DIAGNOSIS USING METABOLOMICS**

THIRD PARTY SUBMISSION IN A PUBLISHED PATENT APPLICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.99, the undersigned hereby submits a previously issued PCT patent publication and an issued US patent which are believed to be relevant to the subject pending US patent application which was published on May 6, 2003 as US 2002/0009740. For the reasons presented below, the subject submission is considered to be in full compliance with the requirements of Paragraphs (a)-(f) of 37 CFR 1.99.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

EXPRESS MAIL NO. EV 291443735 US

FACSIMILE

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

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Ruth Montalvo



(Signature of person mailing paper or fee)

Type Signature Name

(Signature of person mailing paper or fee)

07/18/2003 GGBREGI 00000027 09835119

01 FC:1806
02 FC:1460

180.00 OP
130.00 OP

(I) 37 CFR 1.99(a)

This is a submission of a PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955 which are considered to be relevant to the subject pending patent application. The submission is considered to be in full compliance with the requirements of 37 CFR 1.99.

(II) 37 CFR 1.99(b)

The fee set forth in 37 CFR 1.17(p) is enclosed with this submission. A copy of PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955, which are the subject of this submission, are respectively attached hereto as Exhibits A and B.

(III) 37 CFR 1.99(c)

This submission was served on applicant's counsel of record on even date herewith in accordance with 37 CFR 1.248. A Proof of Service is attached hereto as Exhibit C.

(IV) 37 CFR 1.99(d)

This submission does not include any explanation of either PCT Patent Publication No. WO99/50347 or US Patent No. 6,558,955. Moreover, this submission is limited to two items.

(V) 37 CFR 1.99(e)

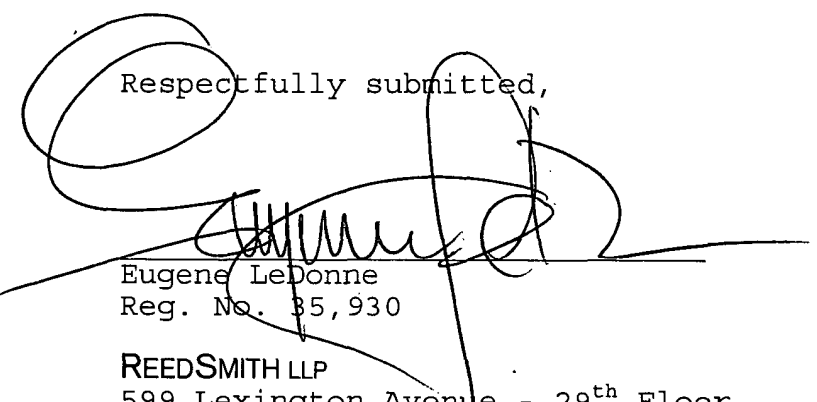
This submission has not been filed within two months from the date of publication of the subject patent application or prior to the mailing of the notice of allowance, whichever is earlier. This was not possible given that the two enclosed submissions were not discovered until sometime after May 6, 2003, the date on which US Patent No. 6,448,955 was issued by the USPTO. In view of this event, the processing fee required by 37 CFR 1.17(i) is enclosed.

(VI) 37 CFR 1.99(f)

A self-addressed postcard requesting the USPTO to acknowledge receipt of the subject submission has also been enclosed with this filing.

The Commissioner is respectfully requested to enter the subject submission into the file history of the subject application.

Respectfully submitted,



Eugene LeDonne
Reg. No. 35,930

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